

RESOLUTION NO. A-_____

1 WHEREAS, the City of Lincoln, Nebraska, a municipal corporation (City), and
2 the Lower Platte South Natural Resources District, a political subdivision of the State of
3 Nebraska (NRD), public agencies within the meaning of Neb. Rev. Stat. § 13-803 (Reissue 1997)
4 agree that it is in their mutual best interest to provide for the ongoing maintenance and capital
5 improvement responsibilities between the City upon completion of the Channel Improvements
6 from J Street to Salt Creek as described in the Antelope Valley Study and the United States Army
7 Corps of Engineer Antelope Creek Feasibility Study No. M-5244(3) (Project), in cooperation
8 with one another through an Interlocal Agreement, and upon the terms and conditions set forth in
9 the Interlocal Agreement;

10 WHEREAS, Article 15, Section 18 of the Nebraska Constitution and the
11 Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 et seq. (Reissue 1997) permit subdivisions
12 and governments in the State of Nebraska to cooperate with one another for the purpose of jointly
13 exercising governmental authority and responsibilities;

14 WHEREAS, Article 2, Section 5 of the City's Charter grants to the City the power
15 to join with other subdivisions, agencies, or public corporations, whether federal, state, or local,
16 or with any number or combination thereof, by contract or otherwise, as may be permitted by the
17 laws of the State of Nebraska, in the joint ownership, operation, or performance of any property,
18 facility, power, or function, or in agreements containing provisions that one or more thereof
19 operate or perform for the other or others and to appropriate and spend money for such purposes.

20 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
21 Lincoln, Nebraska:

1 That the attached Antelope Creek Operating Agreement is hereby approved and
2 the Mayor is authorized to execute the same on behalf of the City, including executing,
3 accepting, and entering into the real estate easements, documents, and transfers as provided in the
4 Agreement, and also including the authority to approve minor, typographical, or technical
5 changes to conform to the originals as approved by the governing body of the NRD.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2002:

Mayor